

INFORMATION LETTER

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NATIONAL CANNERS ASSOCIATION

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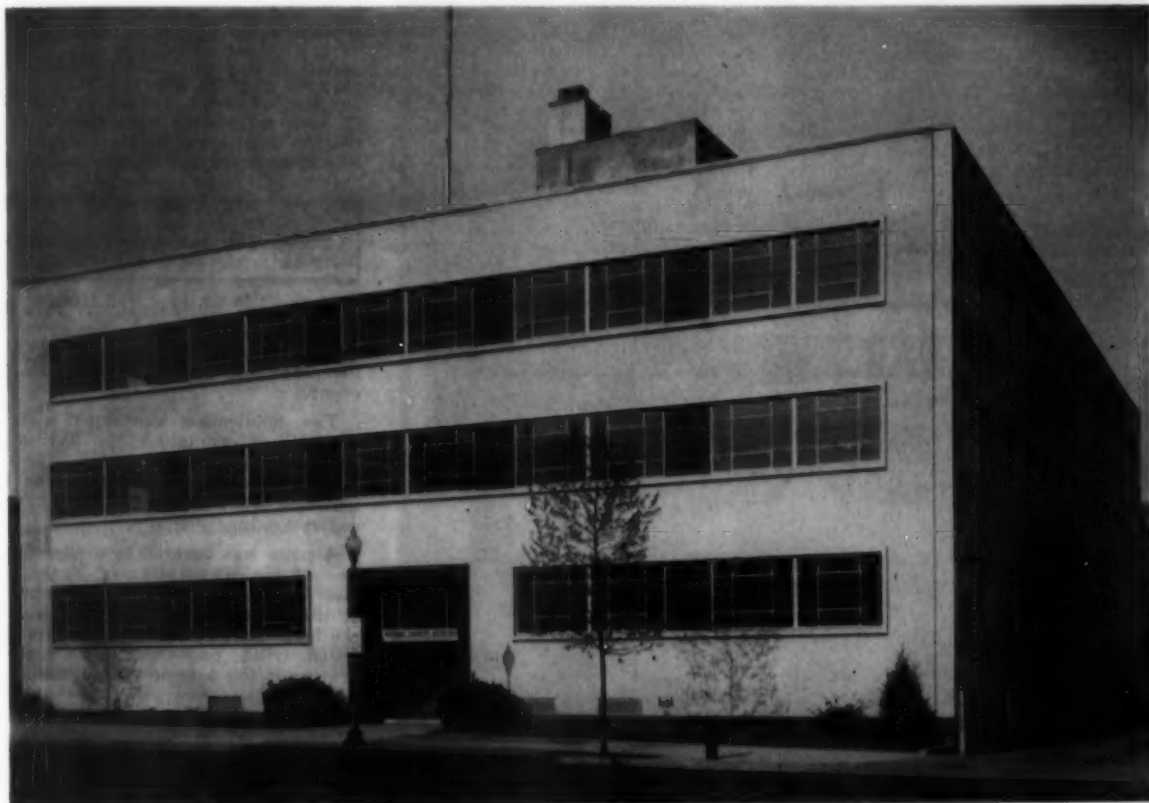
New N.C.A. Headquarters Formally Dedicated In All-Day Program of Ceremonies

Canners and executives of supply companies whose generous donations made possible the completion of the new administrative and research headquarters of the National Canners Association came together in a gala all-day observance of the dedication of the new structure in Washington, on Thursday, June 8.

The first event of the day was a ceremony conducted in the area fronting the entrance at which, after an invocation by Reverend Thomas A. Fraser of Alexandria, Va., the symbolic keys of the building were presented first by Harold

J. Humphrey, chairman of the Eastern Building Subcommittee, to W. F. Dietrich, chairman of the over-all Buildings Committee, and by him to Henry P. Taylor, President of the Association, who presided at all the events of the day.

An oil portrait of Frank E. Gorrell, founding Secretary of the N.C.A., was unveiled at a ceremony in the Main Conference Room of the building. The portrait is a gift by the Association of Canners State and Regional Secretaries, whose president, W. H. Sherman of Rochester, N. Y., presided. Remarks (*Please turn to page 195*)



Dedication Ceremonies

PRESENTATION OF THE KEYS TO THE NEW BUILDING

**By Harold J. Humphrey, Chairman,
Eastern Building Subcommittee,
National Cannery Association**

A little over one year ago we met at this site to dedicate a foundation. This fine building now standing on that foundation is a symbol of the wonderful cooperation of many people. That cooperation is the key to the successful completion of the building and to the success of the National Cannery Association.

Committee members, architects, engineers, builders, advisers, friends, and the Association staff have worked as a smooth running team and here is the splendid result.

It is a pleasure, Chairman Bill Dietrich, on behalf of the Washington Building Committee, to give you this key to our new industry home. It is in a sense a token of the completion of our task.

**By W. F. Dietrich, Chairman,
Buildings Committee
National Cannery Association**

Thank you, Harold Humphrey, and your Washington Building Subcommittee, for this key. The very generous devotion of your time and fine abilities to the job has made possible what this key symbolizes. Your work will be long remembered.

The completion of this building marks a major milestone in the program assigned to our Buildings Committee in December of 1947. Our

Committee couldn't help but succeed. We received so much help not only from canners and the staff, but also from men of vision in our allied industries. The help consisted of wise suggestions, time, and, very important, financial help as it was needed. We of the Committee are confident that the opportunity for greater service to the public through the Association facilities provided in this structure will well repay all of us.

And now, on behalf of the Buildings Committee, I have the honor and pleasure of presenting to you, President Taylor, this key to the new research and headquarters building.

**By Henry P. Taylor, President,
National Cannery Association**

This wonderful building is more than just a building. It is a symbol and a monument. It is a symbol of the enduring qualities of the men in this industry who made the industry and this building possible, of their vision, their courage, their will to keep on when the future was so dark they could not see their hand before their face. It is a symbol of their unity, the bond forged by having been through hard times together. Canning is not an easy business. It is full of disappointments and heartaches, of floods and droughts and frosts and falling markets. But the men who have stayed with it are better men for having done so.

This building is a beautiful and enduring structure, highly efficient in

its functional design, furnished with the latest and best equipment. It will be here when we are gone. But I cannot help remembering that "Things seen are temporal, but things unseen are eternal." And I cannot help believing that when this building is dust, those qualities of vision and courage, of patience and industry, of integrity and character, which made this building possible, will be as vitally necessary to man as they are today and as they have been down the ages.

This building is also a monument to a man who possesses these qualities to a high degree, a man whose wisdom and whose instinctive appreciation of what is sound in large measure made this Association what it is today—Frank Gorrell.

If sometimes Frank may feel, as all of us feel when we grow older and the mad world rushes furiously around and beyond us, if he should feel as Tennyson makes Ulysses say that "We should come like ghosts to trouble joy," he may also say as Ulysses said:

"And tho'
We are not now that strength which
in old days
Moved Heaven and earth; that which
we are, we are;
One equal temper of heroic hearts,
Made weak by time and fate, but
strong in will
To strive, to seek, to find, and not to
yield."

And it is fitting that we who are younger and are a part of this mad and furious world, it is fitting that we at such a time as this should pay tribute to the vision and character and courage of our founding father.

Dedication Souvenir Program

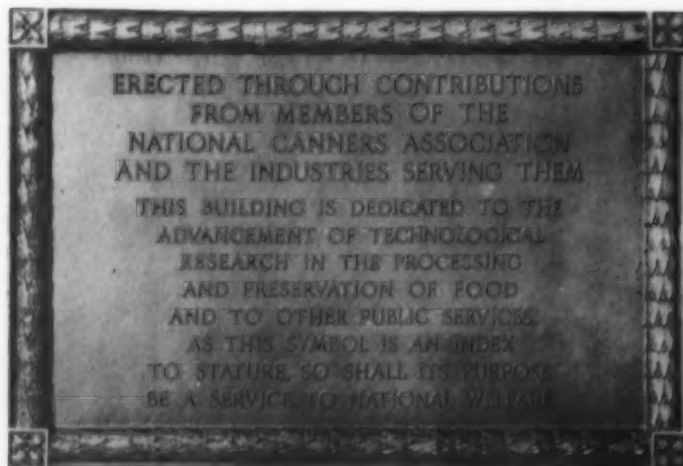
A 32-page souvenir program covering the events of the dedication ceremonies in Washington June 8 was given to those who attended the day's events.

The publication contained a full schedule of events for the day, and listed the names and identities of those in attendance, together with the table locations at which they sat at the dedication luncheon.

A page was devoted to a reproduction of the oil painting of Frank E. Gorrell. The plaque which is mounted in the lobby at the main entrance to the headquarters building was reproduced. Other pages contained photographs of the leading participants in the dedication events.

Most of the illustrations which appeared in the souvenir program are reproduced in this issue of the INFORMATION LETTER.

This bronze plaque is mounted in the lobby of the new building.



UNVEILING AND PRESENTATION OF THE OIL PORTRAIT OF FRANK E. GORRELL

By W. H. Sherman, President,
Association of Canners State
and Regional Secretaries

Nearly a year and a half ago, the Association of Canners State and Regional Secretaries discussed how we could best contribute to the N.C.A. buildings program. It was unanimously agreed that the most fitting contribution would be a portrait of the guiding spirit of the National Canners Association over these many years—Frank Gorrell. We are met here today to present this oil portrait of him to this great trade association.

It is my honor as President of the Association of Canners State and Regional Secretaries to present Frank Shook, the dean of state secretaries, and the present treasurer of the Tri-State Packers Association. He will make the formal presentation of the Gorrell portrait on our behalf.

By Frank M. Shook, for the
Association of Canners State
and Regional Secretaries

Mr. Gorrell—Frank—it is with great pleasure that I bring to you on this memorable occasion the greetings and best wishes of the Association of Canners State and Regional Secretaries.

You have been a lamp to our feet and a light to our path—our inspiration—our beacon in time of stress and storm.

Frank, I have stood on the sidelines and seen the big men of our industry contact you singly and in groups. Every contact has resulted in these men's having gained a renewed zeal and determination to pursue their work on that high plane incumbent upon leaders of any industry.

Frank, with hearty accord and with all emphasis at our command, we say to you, "Well done!"

President Taylor, Secretary Campbell, on behalf of the Association of Canners State and Regional Secretaries, we present to you this painting. Our desire is that it shall be a permanent part of this splendid structure.

Here you see the face of a man who when tired worked harder; a man who solved difficulties by unstinted application of his faculties; a man who had an awareness of coming emergencies and was foretrained to meet them; a man who played carefully.

It is our hope that this painting will inspire you and those to follow to perform just as courageously and successfully and to play just as carefully.

By Carlos Campbell, Secretary,
National Canners Association

Thanks to you of the Association of Canners State and Regional Secretaries for this splendid addition to the appointments of our new building and for commemorating the man who has inspired and led us all.

This occasion affords also the opportunity to call attention to the splendid cooperative spirit with which the various state and local associations work with the national. Each of them has specific services to perform for its members, but the state secretaries are always ready and willing

to assist on a national problem in doing those things which, because of their proximity to their members, they can do much better than the national or anyone else.

I want to say for the national association that were it not for the excellent cooperation of the state secretaries, performed in an unselfish manner, without any thought of personal glory, it would not be possible to perform many of the services that the industry has come to expect of its associations. We believe also that these jobs should be accomplished on a cooperative basis, the national and state associations each performing that portion of the job it is best qualified to do, so as to maintain the highest level of efficiency which has characterized this work.



Presented to the National Canners Association
by the State and Regional Canners Associations
June 8, 1950

The oil portrait of Frank E. Gorrell, founding Secretary of N.C.A., was painted by Raymond P. R. Neilson, and is hung permanently in the Main Conference Room of Association headquarters. The illustration above is a photographic reproduction of the painting.

PROGRAM AT THE DEDICATION LUNCHEON

**By Fred C. Heinz, Chairman,
Buildings Fund Drive,
National Canners Association**

On behalf of the National Canners Association, I am extremely happy to have the opportunity on this occasion to express sincere gratitude and appreciation to our many friends and business associates who have come here today to help dedicate this new office and laboratory building.

The support of our buildings fund by the Association membership and your good selves has made it possible to realize an ambition which we have had for many years. An office and laboratory building dedicated for the good of the industry and the public is something we can well be proud of. Personally, I am proud of the fact that I am associated with and a part of an association which warrants such support.

We were sincere when we said that we were more interested in having 100 percent participation in our buildings program by our friends in the allied industries than we were in the amount of any one contribution. I am sure that you will agree with me, and the size of the crowd here today will attest to the fact that we did obtain that kind of participation.

It would be improper to allow this occasion to pass without mentioning the fine and sincere cooperation we received from everyone who joined with us in this great undertaking, which has made possible the building you saw this morning. We sincerely hope that as the years pass by we will truly be able to say that its accomplishment was a service to national welfare.

On behalf of the Board of Directors and the membership of the National Canners Association, may I sincerely thank each and every one of you for your splendid support and cooperation.

May I also extend to all of you the hospitality of our staff and the comforts of this new building whenever you are in Washington.

**By Eugene A. Hildreth,
President, Canning Machinery
& Supplies Association**

In acknowledgment of your gracious comments, Fred, you will please bear in mind that I am *not* Gene Hildreth talking, but you are now listening to the spokesman for the suppliers who have been truly a part of the canning industry for over 50 years.

Through these years the interests of N.C.A. and the Canning Machinery & Supplies Association have been identical. As we have worked side by side, many wonderful friendships have been established.

The Canning Machinery & Supplies Association was incorporated in 1907, the same year as N.C.A. However, the first organized exhibits of machinery and supplies to the canning industry were undertaken in 1890 under the leadership of R. P. Scott.

In more modern times we have carried on exhibits under the direction of our good friend Sam Gorsline who was first elected Secretary and Treasurer in 1930 and who is still very much on the job.

The canning industry has done an outstanding job in preparing, preserving and marketing processed foods. As supply people, we feel our members can modestly say that they have contributed individual and combined efforts to this success.

Many of our members spend large sums for research and technological

developments in their own businesses. However, as a group, our C. M. & S. A. members recognize a responsibility and obligation in the progress of the food preservation industry. They have recognized that their efforts need to be supplemented through the work of the N.C.A. and, accordingly, have pared their own budgets to assist in this work.

This working together in your plants—in our plants—in your Association and in ours—made it comparatively simple for many of our C. M. & S. A. members to make substantial contributions to the construction of the new N.C.A. buildings.

For those in the supply group who have worked in this way with the N.C.A. and its members, let me say that we are proud to be in this great industry with you and we hope our contributions moneywise and in many other important ways will continue, for our mutual benefit, over the next 50 years.

SCIENCE—WITH ADVENTURE AND SECURITY

**By Dr. Charles Glen King,
Scientific Director,
The Nutrition Foundation, Inc.**

Anyone with normal imagination, whether an executive, a scientist or a layman, feels a sense of adventure when visiting a new research laboratory. Today we are privileged to extend congratulations to the National Canners Association, not only on the basis of experience in seeing science at work in other organizations, but specifically on the basis of your own great record through 43 years.

Hence, this new laboratory is not an accident or actually a financial risk. Instead, it represents American initiative at work for the common good, and, in terms of management, it is entitled to be classed as "a conservative investment of risk capital."

One is reminded of Mr. Justice Oliver Wendell Holmes' account of his accident when driving along the countryside. An essential part of the harness had broken, but he could not see how to fix it. A colored farm lad happened to come along and when asked whether he could see how to repair it, promptly fixed the break and turned to go, when Justice Holmes said, "Well, you're a bright boy! How did you learn to fix the harness like that?" The boy grinned for a moment and replied, "Well, I guess some folks is just smarter than others."

It is a great accomplishment to have made available to the world an attractive, safe, reasonably stable and low cost supply of foods in great variety. But it is a vastly more difficult challenge and a more valuable contribution to furnish in such foods, all the body's requirements for vigorous health. Leaders in the canned foods

industry merit commendation for the thoroughness and vigor with which they have tackled the problem of bringing the science of nutrition to the consumer's dinner table.

As the first national trade association to establish a laboratory for its research and technical service problems, the National Canners Association has pioneered in food technological research; its history is built around its laboratory work; and many of the present-day techniques in the canning of fruits, vegetables, fish and other products originated from your own investigations.

Your laboratories, in cooperation with member firms, took canning methods out of the trial and error stage into reliable, standardized procedures. This new structure will strengthen your efforts to keep them so, and to blaze new trails for improvements in the future.

It is a pleasure to comment specifically on the project devoted to a study of the nutritive value of canned foods carried out jointly by your own group and the Can Manufacturers Institute. The American public owes you a distinct debt of gratitude for these extensive investigations conducted since the beginning of World War II.

The results of the research conducted by canners and can manufacturers not only provide the consuming public with a reliable body of data on the caloric, vitamin and mineral content of major canned food items, but also provide guidance and stimulating reference points for future improvements in canning technology.

The information revealed in the nutrition research allows a housewife or a professional dietitian to know within useful or practical limits just

what vitamins, minerals and caloric values are supplied, when canned foods are served.

From this research into the nutritive values of canned foods, it is safe to say that the public has obtained more dietary information on canned foods than exists for any other class of processed or packaged food.

Contrary to the view held by some, that food values are only affected adversely by canning, it is a fact that the quality control practices in commercial canneries today turn each can into a miniature pressure cooker which protects food values to a remarkable degree. Only by careful processing, however, is it possible to sterilize foods with a high retention of nutritive quality.

Much home cooking, in contrast, is less standardized, and unless carefully conducted, may result in excessive destruction of vitamins through overheating and also in needless loss of both minerals and vitamins in discarded cooking-water.

If scientists are alert to progress in other laboratories, and sensitive to the implications from related fields, they serve as minute-men to their company executives. As members of a team, together with production and sales personnel, their voice clearly merits a place at the council table where policies are charted for facing into the future.

To cite a few specific examples, food technologists are faced with:

(a) Rapid progress in identifying new vitamins almost each year, that are essential to human health but subject to varying losses during processing. They demand new points of view and new methods of measurement both in raw materials and in finished products;

(b) Increased evidence of the role of trace elements, either in protecting or injuring human health;

(c) New agricultural control chemicals that vary over an unknown range in stability, toxicity and flavor effects;

(d) Revolutionary developments in low temperature and low pressure engineering;

(e) Availability on a commercial scale of almost infinite varieties and intensities of radiations that will sterilize foods;

(f) New plastics, stabilizers and flavors, all hand-tailored by chemists in another laboratory, to accomplish a specific end, but which introduce unknown features that the canner must study and weigh for his own protection; and

(g) Now, antibiotics are rapping on the door with cards of introduction that call for a respectful hearing.

It is of practical interest to note the favorable breaks that are developing on the side of canned foods, just when frozen foods and low-cost refrigeration of fresh foods are bringing new elements of competition into local and world markets. All of these trends, one should note, are in the public interest, irrespective of whether one is thinking in terms of economics, better health, or sheer enjoyment of eating. From this point of view, there is something poetic in the sudden development of vacuum concentrated, frozen canned orange juice. And note that this new product is one whose delicacy of flavor and nutritive quality had baffled the food industry for centuries.

The National Canners Association was one of the earliest supporters of the Federal Food and Drug Act and, I am assured, has been one of the most consistent advocates of its enforcement. The canning industry is, on the whole, farsighted and strong in its support of the measure.

It is consistent with this attitude of canners that your new Association research activities will continue to include such projects as improvement in processes, cooperation in the development of food standards for the protection of the consumer, more efficient methods of plant sanitation, and solution of technical problems essential to the protection of nutritive quality.

Americans of the present generation have fought through two world wars and obviously face a continuing risk of a third outbreak. The issues in each instance have stemmed from our ideals of personal freedom and our sense of public trust as citizens in a democratic society. The great issues before us have been, therefore, both external and internal.

Since World War I, our standards of living have risen at a remarkable pace, as a result of scientific research. Almost everyone is aware of the great advances in agriculture, in public health, in industry and even in education and recreation, that have grown directly from a nationwide emphasis upon exploratory and applied research, as it pertains to our use of food.

Each new discovery in the science of foods becomes a building stone in our own national structure and in our building of a world-wide social structure in which war can ultimately vanish.

Support of basic and applied research by government agencies has grown in parallel with the success and expansion of research by industry. It is natural and desirable, however, that our university graduate schools should have the major responsibility in exploratory research, because that is the area where basic principles and

exploration into new ranges of knowledge should be dominant in training young scientists.

But since industry shares with the public in deriving great advantages from the research and training within the universities, support of such work also represents a good and valid business investment. A further gain of great significance to the social order results from the degree of freedom that industry can give the universities in not leaving them wholly dependent upon political agencies for their survival. Most executives, stockholders, and employees in industry have a sincere and appreciative interest in protecting universities from full political control. I should like to emphasize that many of our leaders within government agencies and within the universities share heartily in this viewpoint. It is not a question of all or none, but a matter of balance.

In conclusion, Mr. Chairman, it seems fitting to the occasion to assure you that those of us who are intimately acquainted with the character of your scientific research have come to respect your laboratory findings as scientifically sound and thorough . . . reliable as to fact and interpretation . . . worthy of respect and trust.

N.C.A. Headquarters Dedicated

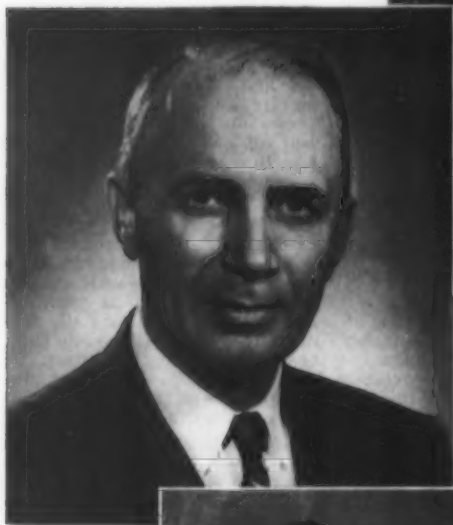
(Concluded from page 191)

characterizing the great contribution of Mr. Gorrell to the Association and the industry were made by Frank M. Shook, dean of the state secretaries, and a speech of acceptance was made by Secretary Carlos Campbell.

The next main event was a luncheon at the Hotel Mayflower, with past-President John F. McGovern serving as master-of-ceremonies. Before the luncheon program got under way, Mr. McGovern was presented with a set of silver candelabra as a mark of the affection and appreciation of the Association for his service last year as President. Donald P. Loker of Terminal Island, Calif., made this presentation.

Mr. McGovern, in characteristic witty form, conducted the remainder of the program, introducing Fred C. Heinz, chairman of the Buildings Fund Drive, who expressed the Association's appreciation to the suppliers for their generous contributions; Eugene A. Hildreth, who as president of the Canning Machinery & Supplies Association made the acknowledgment; Dr. Charles G. King, Scientific Director of The Nutrition Foundation, Inc., New York City, who made the keynote dedication address, and Albert Kennedy Rowswell, professional lecturer.

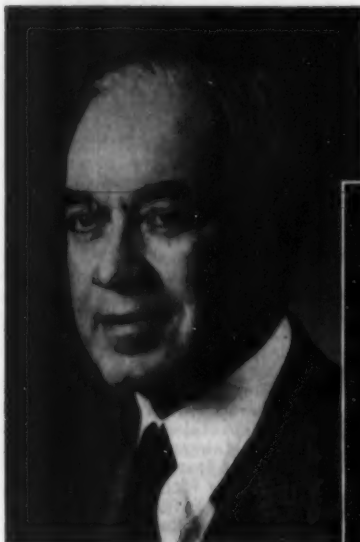
CARLOS CAMPBELL, Secretary,
National Cannery Association



HENRY P. TAYLOR, President,
National Cannery Association



The Eastern Building Subcommittee. Seated—W. F. Dietrich, Frederick C. Heinz.
Standing—John L. Baxter, Harold J. Humphrey, Chairman, and H. N. Riley.



JOHN F. McGOVERN
Master of Ceremonies

Dr. CHARLES GLEN KING
Scientific Director,
The Nutrition Foundation
Speaker



ALBERT KENNEDY ROWSWELL
Lecturer and Broadcaster
Speaker



The men pictured in the groups at left and below planned and administered the program which resulted in the creation of the Association's new building, headquarters for the canning industry.



Herbert E. Gray, Chairman of the Western Building Subcommittee; **W. F. Dietrich**, Chairman of the Buildings Committee; and **Harold J. Humphrey**, Chairman of the Eastern Building Subcommittee.

Meeting of N. C. A. Directors

Association business that had to do with past, present, and future building plans was prominent in Board considerations at the 1950 Spring Meeting of the N.C.A. Board of Directors held the day before the official dedication of the new research and administrative headquarters in Washington.

The all-day meeting of the Directors on June 7 began in the Main Conference Room of the new building, which housed the morning session. Directors adjourned to the Shoreham Hotel for lunch and completed their sessions there.

Chairman W. F. Dietrich of the Buildings Committee made a report of performance and asked and was granted by vote of the Board authorization for the Eastern Buildings Subcommittee to complete its work in Washington and conclude the necessary payments, and for the Western Subcommittee, authorization to hire architects, contractors and subcontractors to proceed with the program for the new West Coast building in Berkeley.

Harold J. Humphrey, as chairman of the Eastern Building Subcommittee, made acknowledgments to the firms and individuals responsible for the architecture and construction of the Washington headquarters building and pointed out that the job has been completed at a figure under the original estimate. H. E. Gray, chairman of the Western Buildings Subcommittee, reported that architects are completing specifications for the new building there and that effective June 8, bids were to be invited. He expressed the hope that construction would be completed by the time of the 1951 Spring Meeting of the Board on the West Coast, and suggested that the dedication ceremonies for the Berkeley building be held there in conjunction with the Board meeting.

The Board accepted the recommendation of the Administrative Council that there be no change in the 1950 budget inasmuch as the Association has been successful in operating under terms of the budget as passed by the Board in January. R. F. Alexander, N.C.A. Comptroller, reported that the 1949 audit of the Treasurer's books had been completed and the report mailed to all members.

The Board authorized the appointment by the President of a committee to study aspects of the problem of membership of foreign firms in the Association, and the appointment of another committee to study the question of the retirement of women employees at age 60 instead of age 65, as is now provided in the N.C.A. Retirement Plan. Their report is to be made to the Executive Committee of the Board for further considera-

tion of the Board at a later meeting. Also, the Board authorized appointment of a special technical committee to consider with Association staff and Counsel certain questions relating to industry participation in the Food and Drug pesticide tolerance hearings.

The Board also reaffirmed the Association's position on labeling, namely that N.C.A. continue its program of support for label terms that can be supported by objective tests and to proceed with development of label language that shall inform the consumer.

Board members also heard a report by H. C. Davis on the current reciprocal trade agreements hearings. Mr. Davis complimented the Association's Fishery Products Division for "doing a good job in stage-managing the appearances of industry representatives in these hearings and assisting in the preparation of briefs."

In other sections of the INFORMATION LETTER, reports of the various committees and staff members are reproduced. These include the full text

of reports of the Public Relations Committee, made by Alfred Stokely, chairman, recommending emphasis on member relations this year with use of the Board membership as a task force to spread full knowledge of Association services to both members and prospective members; a report of the Labeling Committee, made by Frank Gerber, acting as chairman in the place of E. B. Cosgrove, the regular chairman; report on the New York City Tax and Philadelphia Tax, by Hamilton Carothers of Association Counsel; report on "The Relationship of Association Members to Canned Foods Distributors in Regard to Consumer Complaints," made by F. F. Heaton, Director of the Claims Division; reports on the Food and Drug pesticide tolerance hearings by Dr. C. H. Mahoney, Director of the Raw Products Bureau; on "Food and Drug Standards for Vegetable Products" by Dr. E. J. Cameron, Director of the Washington Research Laboratory; and on FDA requirements for canned tuna by Herbert C. Davis, N.C.A. Director; plans for the 1951 Convention by Secretary Carlos Campbell; and a presentation of "Recent Administrative and Judicial Developments" by H. T. Austern of Association Counsel.

REPORT OF THE PUBLIC RELATIONS COMMITTEE

**By Alfred Stokely, Chairman,
Public Relations Committee,
National Canners Association**

The Public Relations Committee feels that public relations consist of:

1. Industry relations with the growers.
2. Industry relations with the government.
3. Industry relations with the consumer.
4. The relationship between N.C.A. and its membership.

The membership relations feature has been the chief topic of discussion by the Public Relations Committee in its meeting today.

It is brought out at this meeting that probably the greatest shortcoming in the member relations portion is the lack of knowledge by members of the N.C.A.'s many benefits to individual canners as well as to the industry. As a matter of fact, one canner recently stated flatly that he felt that not over 10 percent of the membership was fully aware of what N.C.A. has to offer. It is therefore recommended to the Board of Directors that there be appointed in each local area a membership committee which would operate as a local task force. Each com-

mittee should have as a member a Director who will act as a "guiding light".

The purpose of these committees would be to know the benefits of N.C.A. and in turn to take the responsibility of informing non-members on N.C.A. at every occasion possible (i.e. meetings of local associations and arranging for N.C.A. staff members to contact non-members) of N.C.A. services and benefits of membership.

To carry out this recommendation N.C.A. staff member W. D. Lewis would keep in continuous contact with the committees and assist them in every way. As an example, he would furnish committeemen with lists of non-members and special information which would enable them to give a full account of the various N.C.A. benefits to each canner and the industry.

A new booklet is just off the press illustrating this type of assistance.

As a first step, we want each Director when he leaves Washington tomorrow to make it his personal responsibility to contact non-members and invite them to see the new N.C.A. headquarters on their trips through Washington and to notify N.C.A. of non-member visits to Washington in order that N.C.A. may invite these non-members to come over and see the National Canners Association at work.

REPORT OF THE LABELING COMMITTEE

By Frank Gerber, Acting
Chairman, Labeling Committee,
National Canners Association

The Labeling Committee recommends:

(a) That the National Canners Association reiterate and reaffirm its sincere belief in and adherence to the principles and philosophy of its descriptive labeling program.

(b) That as soon as funds can be made available the program be fully re-activated, hoping that this may be possible under the budget for 1951.

(c) That this objective include provision for:

(1) Adequate laboratory assistance for the technical development of objective tests of essential quality factors, for all principal items, and the development of suitable and appropriate label terminology;

(2) Aggressive and constructive work in selling the canning industry and the distributive trade on the adoption and use of descriptive labeling

for all products for which appropriate terminology has been developed; and

(3) That every practical effort be made within the limits of the staff, time and money available, to sell the N.C.A. labeling program to consumer and educational groups, organizations, and individuals.

The Labeling Committee visualizes a typical annual budget of approximately \$25,000, to carry out the foregoing assignment, providing for a director, one stenographic-clerical assistant, a full-time laboratory assistant, traveling expense, and promotion and other literature and materials.

For the balance of the current year, the Committee recommends the employment of a new Director of the Labeling Division at a starting salary of \$8,000, approximately \$4,000 of which would fall within the current budget.

Due to savings which it is anticipated can be made in the current Labeling Division budget of \$17,000, it is estimated that no additional funds will be required this year.

REPORT ON THE NEW YORK CITY GROSS RECEIPTS TAX AND THE PHILADELPHIA BUSINESS TAX

By Hamilton Carothers, Counsel,
National Canners Association

A general improvement in the picture with respect to the New York City Gross Receipts Tax has practically coincided with the appearance in Philadelphia of a General Business Tax which gives promise of raising all the problems encountered under the New York City law. At the May, 1949, meeting of the Board, a report was provided on the New York City tax. To demonstrate the gains that have been made with respect to the New York City tax and to illustrate the problems which may confront the industry under the Philadelphia tax, it is necessary to review the New York City situation.

The General City Law of the State of New York, which is the enabling act under which cities in New York derive their taxing power, originally provided that any city with a population of over one million shall have the power to impose a tax for the privilege

within the City of New York. In 1939 it amended the law to provide for the imposition of a tax not only for the privilege of engaging in any business within the city but also for the privilege "of making sales to persons within such city." The law was thus brought into conformity with the full taxing authority granted by the New York State Legislature.

The regulations issued pursuant to this law made it clear that in the Comptroller's opinion the tax applied not only to sales to New York City buyers by canners who maintained stocks of foods or sales offices within the city but also to sales to New York City buyers by out-of-city canners transacting all New York business solely through the medium of independent brokers. No attempt was made, however, to enforce the tax against canners making sales to New York City buyers through independent brokers until late in 1948, when canners were first informed that the New York City authorities were asking brokers for the names of their principals for purposes of enforcing the tax against these principals.

At that time, Counsel for the Association undertook a thorough review of the New York City tax situation and concluded that all members of the Association should be informed of the uncertainties surrounding this tax and that each should be given the choice of paying or not paying the tax in his own discretion. Canners were informed that some doubt ex-

isted as to the constitutional validity of the tax as it applied to interstate sales, that some doubt existed as to whether the language of the City law warranted the interpretation given to it in the Comptroller's regulations, that considerable doubt existed as to whether there was any method whereby the New York City authorities could enforce collection of the tax from canners having no property within the City, and that there was a strong likelihood that some amendment to the law or change in regulations would result from political action. On the strength of this information, few if any canners not maintaining warehouses or sales offices within the city either filed returns or paid the tax.

In the meantime, New York City brokers, aided by legal materials and suggested arguments supplied them both by the National Canners Association and the National Food Brokers Association, were engaging in extended conferences with various New York City officials for the purpose of obtaining an amendment to the regulations or to the New York City law which would exempt sales by out of city canners not maintaining stocks of foods or sales offices within the city and selling to New York City buyers only through independent New York brokers. When these and other conferences undertaken by other interested associations failed to produce results, emphasis shifted to the New York State Legislature. Finally, the upstate New York industries supported by the New York State Canners Association, obtained the passage in the New York State Legislature of a bill amending the General City Law to provide for the elimination of the words "to persons" from the State Enabling Law. As signed by Governor Dewey on April 21, this amendment restricts the taxing power of New York City to sales by canners who are either actually engaged in business within the city, as that term is legally understood, or who actually transact sales within the city. It is our opinion, and we have been informed that the New York City authorities are in the process of amending their regulations to conform with this opinion, that the tax can no longer be applied to sales by out of city canners who do not maintain stocks or sales offices within the city and who transact business within the city only through the medium of independent brokers.

Some problems remain with respect to the New York City tax. The question of what constitutes doing business within the city for purposes of the tax must be worked out in terms of each individual factual situation. The amendment has no retroactive effect. The power of the New York City authorities to collect back taxes for the period 1939 to 1950, therefore, has not been affected. We have in-

formation, however, to the effect that the city authorities are suspending all further efforts to collect back taxes for the past 10 years until the Comptroller's Committee on Special Taxes, which is a state-wide committee, has had a full opportunity to review the problem. If attempts to collect these taxes are instituted at a later date, we will reinvestigate the situation and advise canners as to the proper course of action.

While the New York City tax situation was drawing to a successful conclusion, our attention was called to a Philadelphia General Business Tax which may confront canners with all the problems they encountered under the New York City law. On May 23, 1940, the Pennsylvania General Assembly passed a "temporary" enactment providing for a tax on the gross receipts of all persons

"carrying on or exercising for gain or profit within a school district of the first class [within the City of Philadelphia], any trade, business, . . . profession, vocation, or commercial activity, or making sales to persons within such school district of the first class."

You will note that the same troublesome clause—"or making sales to per-

sons within such school district"—as was present in the New York City law prior to its amendment is included in the Philadelphia tax law.

We are as yet aware of no instances in which the Philadelphia authorities have attempted to enforce the tax against canners who do not maintain stocks or sales offices within the city and who transact business solely through independent Philadelphia brokers. The regulations issued by the Receiver of School Taxes in general follow the pattern of the New York City Gross Receipts Tax Regulations, with the omission, however, of the reference to the tax's application to sales transacted by independent brokers that was present in the New York City Regulations. In view of the recent developments in New York, it may be that the omission was calculated. The tax, however, was not to become operative until January 1, 1950, and no positive determinations of the interpretation to be given to the Philadelphia law will be available until the enforcement policy becomes apparent. We can only wait and hope that canners will not again be faced with the difficulties so recently concluded in New York.

RELATIONSHIP OF ASSOCIATION MEMBERS TO CANNED FOOD DISTRIBUTORS IN REGARD TO CONSUMER COMPLAINTS

By Forrest F. Heaton,
Director, Claims Division,
National Canners Association

About the middle of April of this year a number of N.C.A. members received letters from a large retail grocery chain, pointing out that as a matter of equity manufacturers and suppliers of the various products sold by that chain should defend that company, as well as themselves, in any lawsuits brought by consumers involving alleged illness or injury attributed to those products.

The letter called attention to a recent suit brought by a consumer against the chain, involving illness said to have been caused by consuming a bottled beverage containing an insect. The chain had requested the bottler to arrange for the defense of the action and to assume the entire responsibility. The bottler passed this request on to its insurance company, which, although a very reputable, strong company, declined initially to assume defense, on the ground that the policy covered claims brought directly against the bottler, but not customers of the bottler. However, upon further discussion and pressure by the chain, the insurance company's home office agreed to make an exception in this instance, and took over the case, but at the same time the insurance company strongly recom-

mended that the chain require all suppliers either to have the distributor named on their products liability insurance policies or to secure endorsements to the same effect. As a result of this experience, the letter went on to say, the chain was requesting all suppliers of food, drug, cosmetic and bleach products to fully protect and indemnify the chain against consumer claims and on a specified date to furnish either a duplicate insurance policy or a certificate of insurance from a responsible insurance company approved by the chain, as evidence of the requested protection. Certain upper limits of the insurance were to be required and a form of "Acceptance and Guarantee" accompanied the letter, which was to be executed by each supplier and returned to the grocery chain.

Since the majority of N.C.A. members have always relied on the Association's claims service and have never carried products liability insurance, the Association received a considerable number of letters from members calling attention to the letter and requesting information, advice and suggestions as to a suitable reply. It was readily apparent that the problem was of sufficient importance to justify a personal conference between Association representatives and the grocery chain, in the hope of persuading the chain to waive its re-

quirement for insurance coverage insofar as N.C.A. members are concerned.

Accordingly, an appointment was made for a conference at the headquarters office of the grocery chain, on April 28. Attending the conference for the N.C.A. were H. Thomas Austern of Association Counsel; J. R. Braden of Richmond-Chase Company, who was in Chicago on a business trip at that time and whose company had received one of the letters; and myself.

A complete account of the Association's method of investigating and handling consumer claims, including a brief history of the claims service, and the Association's policy of vigorous resistance to unwarranted claims, was outlined to representatives of the grocery chain. The necessity of thorough investigation of all claims and adequate defense preparations in those involving suits was stressed, and it was made clear that the protection afforded by the service extended not only to the canner but to wholesalers and retailers as well. The Trust Indenture special protective plan also was explained. Also, it was pointed out that from the inception of the N.C.A. service, distributors throughout the country have generally been satisfied and have required no further assurance of protection when informed that the packer is an Association member and relies on the claims service. Mr. Braden, whose company relies on the N.C.A. service, very ably presented the viewpoint of the Association member as a supplier to the chain, in opposition to the request for insurance contract coverage.

In presenting the Association members' side of the problem, we were very fortunate in being able to provide a concrete example of how the service operates looking toward the protection of wholesalers and retailers, as well as the canner, and in particular, the grocery chain concerned. There is presently pending an action against that chain for substantial damages in which the claimants allege illness attributed to a canned product packed by an Association member, the defense of which is being handled by the Association's counsel. I took along the complete file on this case, and the history of this matter was outlined, including the complete investigation, conducted by an experienced Association investigator, the obtaining of signed statements of the parties involved, inspection of hospital records, and the like. The steps taken by the Association's attorney, comprising complete defense preparations, including physical examination of the claimants, etc., were shown. It was clearly demonstrated that here was an important case against the chain itself, in which the company had been entirely relieved of the burden

of investigating and contesting an unwarranted claim, in which the packer of the product had agreed to protect the chain, and had referred the matter to the Association which made the investigation and is conducting the defense, without cost to the distributor.

At this April 28 conference, the chain's representatives readily admitted that they had already met with some resistance to their proposal and they had held up a number of letters which had been scheduled to be sent to canners. They listened very politely and attentively to the presentation of the canners' position and it was apparent that heretofore they had not fully understood the Association's functions with respect to the claims service available to members and their distributors. I was pleased to learn that the chief of the chain's legal division favored the idea of self-insurance regarding consumer claims. He explained that in the chain's operations they were confronted with a number of claims involving products they handled, not in the sealed package category, and they undertook to investigate and handle them on their own account, without insurance coverage. At this point I offered to make available to the chief of the chain's legal division certain Association questionnaire forms which we use in our claims work, and he took advantage of this offer. This, of course, is in line with the Division's policy of aiding other organizations engaged in combatting unwarranted claims. Up-to-date membership lists were also turned over to that gentleman, as well as the Association's bulletin, "Con-

sumers' Claims Against Food Canners," which contains a complete description of the Association's claims service.

The chain store representatives stated that a complete report of the conference would be made to the company's officers and that the matter would be given careful consideration. This conference was conducted on a friendly basis throughout.

I am happy to conclude this presentation by reading the following excerpt from a letter received just a few days ago from the chief of the legal division of the chain:

"I am pleased to inform you that our officers have decided to permit all suppliers who wish to do so to self insure the product liability risk, provided only that they furnish us with satisfactory evidence of their ability to discharge this responsibility. We shall accept as satisfactory evidence, a statement to the effect that the supplier is a member of the National Canners Association, provided of course that a check of your membership list verifies this statement, or a satisfactory published financial statement, or a product liability policy in the limits previously outlined."

About the same time this letter was received we heard from an Association member who advised that the chain had requested written evidence of his company's membership in the Association, and the member asked to be furnished with a membership certificate. This was done and similar certificates are now available to all Association members upon request.

of the U. S. Department of Agriculture, of the state experimental stations, and of the state universities. In addition, representatives of the principal pesticide manufacturers, again including entomologists, chemists, and plant pathologists, have given extensive testimony. The bare statistics are impressive: There have been about 7,000 pages of testimony, and this was largely by way of comment on some 1,065 exhibits. Some of these exhibits comprise over 100 pages of scientific references, data on spray applications, pest mortality, yields, and other data.

There has been almost no controversy. Each qualified witness has come to put into the record virtually all he might contribute. The store of knowledge which has been amassed is, I think, phenomenal and comprises practically all of the work which has been done, by federal, state, and private agencies in this important area of pest control and control of plant diseases.

As Mr. Austern pointed out in his talk at the Convention last January, there are essentially two key questions in this hearing. The first is whether the use of any added poisonous or deleterious substance is required in producing a particular fruit or vegetable. This embraces the question of whether there is any real need for using pesticides in the production of specific fruits and vegetables. The first part of the hearing, which was concluded in mid-May, dealt with this question of need. By and large, I think it can be reported that the necessity for the use of pesticides in the growing of fruits and vegetables, including those utilized in canning, has been abundantly demonstrated to this point. The evidence presented by federal and state experiment station workers covered the full range of fruits and vegetables. The state representatives sent large delegations and their data was both comprehensive and well organized. Together with the basic story presented by the U. S. Department of Agriculture, it demonstrated beyond question that control measures were necessary, that conditions varied from crop to crop, and indeed from area to area, and that a fairly wide choice of pesticides should be made available to growers.

Time does not permit me to give you either the technical details or many of the highlights of this hearing which in some respects amounts to a splendid graduate course in entomology. One general pattern which has emerged is that very often the use of an insecticide to control one insect proves effective, but the change in biological balance results in the accelerated development of other pests. The familiar illustration is that effective control of the codling moth very often results in a heavy infestation of red mites. Consequently, these hearings have established that no one

FOOD AND DRUG PESTICIDE TOLERANCE HEARINGS

By **Dr. C. H. Mahoney,**
Director, Raw Products Bureau,
National Canners Association

The Association's assignment in connection with the Food and Drug Administration proceeding to establish pesticide regulations has turned out to be a monumental undertaking. In large measure this flows from the scope of the hearings which concern an inquiry into the necessity for using insecticides, fungicides and miticides in the production of fruits and vegetables, the levels which are to be employed, the possible toxicity of the various substances used, and the establishment of residue tolerances which will be permitted on each fruit and vegetable marketed in interstate commerce, including those marketed for processing.

It may be recalled that last fall it was concluded that the interests of the canning industry could be adequately protected only by Association participation in these hearings on the basis of a three-point program. This involved the attendance at the hear-

ing of representatives of Association Counsel; the simultaneous attendance of the Director of the Raw Products Bureau at the hearing, and when necessary, various members of the laboratory staff; and the collation and evaluation of all of the evidence presented on the use of the various insecticides and fungicides employed in the growing of canning crops in order that an abstract factual report could be made to the industry.

Those of you who have had an opportunity to read the 68 columns of detailed reports which have appeared in the INFORMATION LETTER since the hearing began last January will appreciate the magnitude of the task which the Food and Drug Administration has undertaken and which of necessity the Association must pursue. These hearings on pesticides promise to exceed all records for any administrative undertaking. They have run almost continuously from January through the end of May. To date, approximately 200 witnesses have appeared, comprising virtually all of the entomologists and plant pathologists

chemical substance is the complete answer to the problem of pest or plant disease control.

It is perhaps too early to discern any definite outlines as to what the result of these hearings will be. With necessity established, Dr. A. J. Lehman of the Food and Drug Administration appeared on May 22 and classified the chemicals which, in his opinion, should be considered poisonous or deleterious, or both. This important statement was fully summarized in the INFORMATION LETTER of May 27 and made available to canners. The next stage in the hearings will be consideration of the residue levels which can safely be permitted, based upon chronic toxicological evidence as to each substance. It is anticipated that this portion of the hearing will take a very considerable period, and from the standpoint of public health it is of course the key inquiry.

Thereafter and probably some time this fall, the final sessions will be held at which there is to be presented all other relevant material not previously covered. Early this year an arrangement was worked out whereby any information to be presented by the canning industry could be presented in this final portion of the hearing. This leads to the question of how far the canning industry will go in presenting such affirmative data as it may have. Counsel have assembled and summarized all references to processing—and more particularly the possibility of reducing or removing residues in processing—which have appeared either in the testimony or in any of the massive exhibits. This material is being meticulously analyzed in order that recommendations may be developed.

The key question is whether some of the passing assumptions made by certain other witnesses are warranted, and, to the extent that they are not, how they should be challenged. For example, there were some suggestions that a major portion of particular residues might be removed during the course of processing. Some people suggested that a hot alkaline bath might remove all DDT residue from apples. Others ventured the suggestion that certain mechanical procedures, such as brushing, might remove residues on certain fruits. Other people suggested that washing or blanching would minimize such residues as might be left after harvesting.

Of course, some of the suggested methods, designed to deal with residues, might prove so severe as to impair the quality of the fruit or vegetable being canned. I might add that some of the work of our Western Research Laboratory, in conjunction with the California Experiment Station and several western canners, has thrown grave doubt on the possibility of residue removal even with some of these extreme procedures.

Technically, these hearings contemplate regulations establishing residue tolerances only for fruits and vegetables in raw form, and not for the processed product. It is not yet clear whether such information as might be assembled on residue removal in processing will be relevant to this proceeding. The rules being applied are very liberal, and any information presented is being accepted. Likewise, whatever may be the legal lines of cleavage, no one can deny the relation between what may be permitted as a tolerance on the raw material coming to the cannery and what may be permitted in the processed product.

Nor is it necessary to point out the importance of these questions to the canning industry as a whole in view of the wide scope of this hearing embracing practically every fruit and vegetable utilized in canning.

Another point which we have under inquiry—and again subject to determination of its relevance in this proceeding—is the possibility of vari-

ous pesticides contributing off-flavors to canned foods. This has been dealt with to some degree in the present hearing, as has the possibility of certain substances ultimately affecting the soil itself. We are, on this point also, collating the data already presented and exploring what other information might be available.

Both Mr. Austern and I have come to the conclusion that it might be desirable for the Association to appoint a special committee, consisting of qualified technical men from the canning industry, which can consider with the Association staff and Counsel these important questions as to the residue levels to be permitted on the raw material and in the finished product. It is concluded that the Association, on behalf of the industry, should present additional information, this technical committee can help to organize its presentation and to implement it by whatever experimental work has already been done and can be reported.

RECENT DEVELOPMENTS ON FEDERAL FOOD AND DRUG STANDARDS FOR VEGETABLES

By Dr. E. J. Cameron, Director,
Washington Research Laboratory,
National Canners Association

The activity of the Association, and particularly its laboratory staff and Counsel in the development of Federal Food and Drug standards of identity, minimum quality, and fill-of-container continues to absorb a great deal of time and effort. While its continuity has become routine, this work is greatly varied. At any one time we are finishing up one standard, participating in laboratory work on several others, and considering with the Food and Drug Administration the canned foods which might next be embraced in the program.

The work on corn identity and minimum quality standards is virtually completed. On April 13 the Food and Drug Administration, after about a year's consideration, issued its proposed findings and proposed regulations for canned corn. The proposed regulation was reproduced in the INFORMATION LETTER, and the findings were circulated to state secretaries and industry participants together with a memorandum summarizing the principal points of issue upon which the comments of the industry were solicited. On Monday of this week (June 5) the Association filed with the Food and Drug Administration a brief prepared by Counsel covering a number of points on which the industry believed the proposals still should be modified.

By and large, except for the points covered by this brief, these proposed corn standards appear to be reasonable and capable of compliance by the

corn packing industry. They reflect the vast amount of work of the industry and the Association staff and Counsel in preparation for the public hearings.

A proposed standard of fill for cream-style corn alone is ready for issuance. The Association and the Food and Drug Administration are still cooperating in an extensive inquiry for the purpose of working out objectively determinable factors upon which a reasonable standard of fill for whole kernel corn can be evolved. When this work has been completed, and if a satisfactory standard can be proposed, it is anticipated that further public hearings will be held. There is no immediate prospect of such hearings at present.

On asparagus, the work of preparation is still continuing, and considerable progress is being made. This work has been carried on at intervals for more than 10 years—that is, since the federal standards-making powers became active. Many of these standards are a long time in preparation. During the first week in April a meeting of the industry standards committee and representatives of the Washington and San Francisco Laboratories and Counsel's office was held in Chicago. It is expected that the public hearing on these asparagus proposals will be held either late this year or early next year.

As many of you know, the hearings on the pineapple standards have been postponed until October, 1951, in order to permit additional research work to be done.

I come next to an interesting example of a food standard proceeding

in which the Association was not directly a participant but which nevertheless absorbed a considerable amount of the laboratory staff time in preparation, and an entire week of my own time and that of Mr. Austern. An application was made for the amendment of a standard of identity on a particular canned food to permit the use of two organic acids as optional ingredients. The packers of this product fell into two groups, one advocating the use of such optional ingredients, and the other vigorously opposing this proposal. In these circumstances, the Association followed its established policy of not participating in the hearing. Each group retained its own counsel, and, in addition, the principal manufacturer of one of these acids had its lawyer at the hearing.

We were advised informally that in connection with this vigorously fought argument, evidence might be presented and opinions given as to the effect of the canning process upon the composition and quality of canned foods other than the one directly involved in the hearing. In other words, it appeared possible that out of this specific controversy there might develop erroneous impressions and perhaps even unfortunate publicity relating to all canned foods. In these circumstances, Secretary Campbell,

Mr. Austern, and I decided that every effort should be made to avoid these possibilities.

Accordingly, a considerable amount of preparation was made for this hearing to meet the anticipated possible difficulties; conferences were held with the opposing canners in an effort to avoid them; and Mr. Austern and I spent a week at these hearings.

Since I have said some harsh things about "lawyering" in the past, it seems only fair to observe that during the entire week Mr. Austern spoke only three lines in the record during the course of making two objections. The other lawyers present were somewhat less restrained since the hearing lasted an entire week, and it is to be resumed on June 15.

Dr. Mahoney has discussed the lengthy pesticide hearings. I might add that representatives of the laboratory were present during the presentation of testimony on methods for residue detection of the principal insecticides, fungicides, and other materials in common use.

The laboratory will be represented during Part D of the pesticide hearings, to open July 10, at which time testimony will be taken as to the quantity of each poisonous or deleterious substance that can be tolerated without danger to public health.

nated with them, but this was not the case and time after time, Mr. Austern and Mr. Ekdale, speaking for the canners, failed to draw from the government officials any reasons for standards at this time, or any proposals for them."

There was another interesting development during the hearing that should be discussed briefly.

The canning industry has always maintained that there should be a showing of necessity for standardization of a particular product before any such standard is promulgated. Tommy Austern has discussed this quite thoroughly in one of his recent articles, "Current Developments in Food Standard Proceedings," published in *The Food, Drug, and Cosmetic Law Quarterly*, last September. I am sure most canners are familiar with and have read that excellent article, so I won't attempt to discuss it in detail here. But it became very clear in the tuna discussion that the FDA did not agree with that interpretation of the law; again quoting from the *Pacific Fisherman*, "It came as shocking news to some of the tuna canners present that the Food and Drug Administration requires no consumer complaints to institute standards in a specific food product. The eventual aim of the Food and Drug is the establishment of standards on all food products, and on any of them at any time, even though the consumer has shown every satisfaction with the product and its labeling."

One of the implications in this interpretation of the law by the Administration and the adoption of such a policy is that the National Canners Association will be devoting a very substantial portion of its time, effort and money for many years to the handling of standard-making procedures.

The tuna packers who participated went away from the meeting feeling both angry and disappointed. Moreover, they were made sharply aware of the necessity of doing something, and doing it quickly by way of preparation for the eventual public hearings leading to the promulgation of standards.

But of course, prior to the public announcement of the Food Standards Committee meeting, the industry had been notified that such a meeting was imminent and the group meeting with the Committee was actually a canned tuna industry committee set up after consultation with all factors of the industry, to guide the development of an industry position on a tuna standard. Even before the meeting in June, this committee had met several times, and had agreed to resolve several areas of possible controversy. Now, however, realizing the need for speed, it went to work more actively.

The fishing industry as a whole, including the fish canning industry, is frequently accused of disunity, of

FOOD AND DRUG STANDARDS FOR TUNA

By H. C. Davis, for
C. R. Carry, Director,
Fishery Products Division, N.C.A.

Relations between the Food and Drug Administration and the canning industry during past years have, as a rule, been excellent. Certainly, such differences of opinion that have occurred have generally been resolved fairly and in an attitude of mutual respect for each other. In the case of tuna standards, this same happy situation now prevails. But since some of the difficulties of a year or so ago in this area have been given publicity, I should like to tell you the story in accurate detail.

Last June, the Food Standards Committee scheduled two hearings, to take place on two consecutive days, to discuss canned asparagus and canned tuna. Because of our past relations, some of us, and I know that I had, particularly, assured the tuna packers that the meeting with the Food Standards Committee was a preliminary session at which representatives of the Food and Drug Administration, the members of the Committee, and the industry would get together for a mutual exchange of views on whether standards were necessary, and, if so, what should be incorporated in the standards. I had assured the canners that the meeting would be productive, and that a research pro-

gram could be developed immediately thereafter, aimed in the direction of our conversations.

However, on the first day, the asparagus people found to their surprise that the situation was just a little different; that the Food and Drug officials and the Committee, contrary to our former experience, were not disposed to engage in a mutual exchange of ideas and apparently were simply interested in learning what the industry had to propose. This was somewhat disturbing to the tuna packers who were scheduled to meet the following day.

The results of the meeting between the tuna packers and the Food Standards Committee are best summed up, I think, by some statements in an article in the August, 1949, issue of *Pacific Fisherman*, reporting on the meeting as follows:

"The meeting of tuna canners with the Food Standards Committee . . . to discuss the possibility of establishing standards reached a virtual stalemate . . . chiefly due to the reluctance of the government officials to give the canners sufficient information on which to base industry-proposed standards."

Further quoting: "It had been hoped that officials of Food and Drug would express their ideas on tuna standards inasmuch as the proposal had origi-

inability to get together in a common cause, of unwillingness by the different groups to cooperate with others.

Let me say right here, however, that I have never seen a better example of cooperation than has been shown by the various tuna packing groups, companies and individuals, than the cooperation that has existed in this tuna standards program. In the first place, the Tuna Standards Industry Committee got together and agreed to resolve possible areas of controversy so that a unified position would be established; they got together on the selection of a man from the industry to direct a program of research; they got together on a means of financing the research.

By the way, I would like to tell you something about the man selected to head up this program, G. H. (Hoke) Clark. Hoke is vice president of Terminal Island Sea Foods, Ltd., and naturally has considerable practical experience in plant operations, technology, etc.; but he also has scientific training, being a biologist with long years of service with the California Fish and Game Commission. A more satisfactory combination of experience and scientific training in the highly specialized fishery products industry would almost be impossible to find. Hoke Clark is largely responsible for the maintenance of the spirit of cooperation in this project.

The spirit of cooperation spread beyond the Committee to all of the individual companies. They promptly paid their assessments to finance the research. In fact, a sum in excess of \$30,000 was collected and turned over to the Committee to pay for the work; every firm in the industry opened its doors to Hoke, even firms which, as a matter of policy, let no one but their own employees into their plants. Nothing was held back. Samples were furnished upon request. Instructions were issued that Mr. Clark could have any information, any assistance requested.

N.C.A. participation in tuna standards work is following a somewhat different pattern, possibly, than it does customarily. Our job until now has been the coordination of the vast experience of staff members and counsel with the specialized knowledge of canned tuna necessary to carry the program to completion. Although Hoke Clark has available in his own plant rather complete laboratory facilities, Dr. Esty's San Francisco laboratory staff has assisted him in every way possible; Mr. Clark recently spent a week in Washington working with Howard Smith of N.C.A. and with Food and Drug officials.

That, by the way, brings us to final area of cooperation about which we are especially pleased.

Early last fall, following the selection of Mr. Clark by the Tuna Committee, he came East for conferences

with Ed Cameron, Howard Smith and Tommy Austern. Ralph Sanborn, Chairman of the N.C.A. Scientific Research Committee, was here at the time. As the result of some informal conferences with Food and Drug officials, an understanding was reached which later developed to the point that neither Food and Drug nor Hoke Clark would take any steps toward the collection of data on any possible point of significance in the final objective without fully informing the other party. When samples are collected, half go to Mr. Clark, half to Food and Drug. Plans are now under way for an extensive collection of certain samples during the coming summer. Tentatively, it is planned that the cost of these samples will be split three ways, Food and Drug, the Tuna Committee, and N.C.A. paying equal shares.

That this cooperation is genuine, and that the feeling of mutual respect between Food and Drug and the can-

ning industry still exists is attested to by a recent request of Food and Drug officials that the salmon industry and the Association designate one individual with whom the designated Food and Drug representatives can work when the time comes to concentrate on salmon matters. We have replied that Dr. Clark in Seattle or someone on his staff will cooperate in a program to the extent required, to achieve standards if they are necessary, fair to the industry, and fair to the consumer.

Most of us are confident that the misunderstandings which earlier developed represent an unusual situation, and that from here out the cooperation between the fish canning industry and the Food and Drug Administration will continue in the interest of developing any reasonable standards which will serve the consumer interest.

REPORT ON THE 1951 CANNERS CONVENTION

By Carlos Campbell, Secretary,
National Canners Association

The 1951 Convention will be held in Chicago as planned and agreed upon over a year ago. The date for the Convention will be the week of February 18. Previously, it had been planned to hold the Convention in two parts, as was tried out last January in Atlantic City, but owing to the demand of a substantial portion of N.C.A. membership, the plans have been adjusted to permit holding the conventions at one time. This means that canner-broker sales conferences, and the machinery and supplies exhibit will run simultaneously. There will, of course, be the usual pre-convention meetings of N.C.A. committees, the Administrative Council, and the Board.

It will be recalled that the reason for holding the convention in two parts, as was tried in Atlantic City, was to utilize the better hotel facilities more effectively. This had the effect of lengthening the over-all convention. After having tried this experiment, a great many canners have indicated they would rather make some sacrifice in hotel accommodations in order to have all of the convention at one time and thus shorten the period. At Chicago the number and size of hotel rooms available will be somewhat less than Atlantic City, but it is believed that if everyone appreciates the problems and is willing to cooperate, it will be possible to hold a successful convention.

The canners, as before, will be housed principally in the Stevens Hotel. The Stevens, however, since 1942—the last time the Canners Convention was held there—has been changed in some respects, the most important of which is that the number of parlors

has been materially reduced. The hotel management has agreed to make up enough additional parlors to provide what will be adequate if all of the canners will be considerate in their requests for rooms.

Another change that many canners may consider to be a radical departure from their previous experience is that specific room numbers will not be available for assignment in advance. The hotel management, however, appreciates fully the disadvantage of that situation to canners, and has indicated its willingness to cooperate in working out a substitute plan that, it is hoped, will provide some of the advantages of advance room assignments.

Another problem is that of room occupancy on arrival. Unless special arrangements are worked out, canners arriving in the morning cannot be guaranteed room assignment nor occupancy until check-out time that afternoon. It has been pointed out to the hotel management that that situation creates a great inconvenience to canners and others attending this convention since the rooms are used throughout the day for conferences, etc. Room occupancy early in the day can be assured only by registration at or before check-out time of the previous day. It should not, however, be necessary that the canner spend an extra day by arriving and registering the day before in order to have his room available on the morning of the day the Convention begins. A tentative arrangement has been made with the Stevens to permit registration in absentia on the day previous to the day the canner wants to occupy and use his room. Such registration could be made by the N.C.A. staff, and a canner on

arrival would be given his room number at the N.C.A. information desk and could go directly to his room without registration. If this plan were carried out the canner would have to pay for the room the night before he arrived, but it would eliminate a lot of time wasted in registering on arrival and getting a room assignment from the hotel, and, most im-

portant, would insure room occupancy immediately, which for morning arrivals would mean in effect the use of the room for an additional day. If this plan is agreed upon, the pre-registration would be offered to all members but would be provided for only those who want the service and are willing to pay the hotel for an additional night's rent.

sented on the ground that the government was not entitled so to apply the statute as to bring multiple seizures designed to destroy a business before it can be heard in its own defense.

This is, of course an unusual case—not in the food but in the drug field. Yet the controlling principles and the same statutory provisions apply to seizures of food for misbranding—and once again the Supreme Court has given to FDA officials what are possibly the broadest discretionary powers found in government.

Another action of the Supreme Court is interesting not because of what the Court decided, but because it refused to review a lower court decision. You may recall that in 1948 the Supreme Court held that beet sugar refiners in northern California could not agree with each other to fix uniform prices to be paid to growers of sugar beets. In the same year the government brought an indictment against Local 36 of the International Fishermen and Allied Workers of America in southern California, charging a violation of the antitrust laws because the fishermen had conspired to restrict the sale of fish to dealers, to fix the prices to be charged, and to boycott those who would not agree. The Local was convicted.

Last year the Ninth Circuit, in an elaborate opinion, affirmed this conviction. It rejected the argument of the union that it was in reality a labor union protected by the Norris-LaGuardia Act, pointing out that the fishermen were independent businessmen. In doing so, the Court drew the analogy between these fishermen and the operator of a truck garden who sold his produce.

The union also claimed that it was a cooperative under the Fishermen's Marketing Act which is similar to the Capper-Volstead exemptions to the antitrust laws for farm cooperatives. But the Circuit Court of Appeals held that there was a distinction between what a cooperative might do in selling the products of its members and a conspiracy to control production and fix prices and engage in boycotts. It suggested that there was no law which would permit farmers to combine with other farmers to raise the price of grain by picketing the grain dealers or attempting to control the prices at which others might sell.

The labor union appealed this affirmation of its conviction to the Supreme Court, but after a preliminary examination, the Supreme Court refused to review it.

Necessarily, these decisions bear directly on the legality of canners or growers in particular areas collectively agreeing—in the absence of protective federal or state statutes—on such matters as area of production, prices, and other aspects of marketing crops.

RECENT JUDICIAL, LEGISLATIVE, AND ADMINISTRATIVE DEVELOPMENTS

By H. T. Austern, Counsel
National Canners Association

Paradoxically, the talk one hears today in Washington should have a not unfamiliar ring to those in the canning industry. For only too often the response of the canner to an inquiry as to how he is doing is, "Pretty good. We are not going to lose quite as much money as the whopping loss we anticipated."

At the end of last week, there were enthusiastic reports of a 20 percent improvement in the federal budget. But this did not mean that the budget for the present fiscal year, ending this month, would remotely be balanced. Last January, I reported to you the estimate that the country would go into the red by about 5½ billion dollars. Because of fortunately lagging expenditures and slightly increased income, it now appears that this deficit will be cut by about 1.4 billion.

Of course, the net deficit will still be about 4 billion dollars—in a time of unprecedented peacetime prosperity.

Against this cheerful note I should like to comply with Secretary Campbell's request that I briefly review with you some of the recent judicial, Congressional, and administrative developments here in Washington.

With your permission, I should like to talk first about some Supreme Court cases. For even though Congress appears at the moment to be in the doldrums—and many federal agencies in the throes of a revitalizing reorganization—the federal courts continue in specific cases to interpret the statutes—and in some to make new law.

In the term just completed the Supreme Court decided several cases of interest to canners.

The first I should like to mention was decided last week. It broadly confirmed the authority of the Federal Food and Drug Administration to institute multiple seizure actions in cases of alleged misbranding. You will remember that in the Food and Drug Act there is a basic provision that not more than one seizure action shall be instituted for the same misbranding. But the law provides two

exceptions to this rule. The first is where the government has previously won a case based on the same charge of misbranding. The second exception permits multiple seizures whenever the Administrator "has probable cause to believe" that the misbranded article is either dangerous to health or fraudulent,

"or would be in a material respect misleading to the injury or damage of the purchaser or consumer."

The Food and Drug Administration made 11 seizures of a supposed drug the literature for which made sweeping claims. The FDA did not claim that the preparation was either harmful or dangerous to health. But several FDA officials made a finding of probable cause that the labeling would be "misleading to the injury or damage" of the person who bought the product. Some 11 separate seizures were made.

The manufacturer brought suit to enjoin these multiple seizures, claiming that the FDA officials had acted arbitrarily and capriciously—and with the purpose of injuring his business. He also claimed that the multiple seizure provision was unconstitutional. A three-judge court here in the District enjoined these multiple seizures, and made long and detailed findings critical of the FDA.

The government appealed, and in a 6-to-2 decision the Supreme Court reversed the judgment. The Court said that the Food and Drug Act provisions for multiple seizures for misbranding were constitutional because the claimant could always have his day in court. It granted that multiple seizures could do "irreparable damage to a business" but pointed out that so might an indictment or the summary destruction of property to protect the public health. The Court said that Congress had provided that multiple seizures could be made, without a hearing, on the basis of an administrative determination that a misbranded product would be misleading to the injury or damage of a consumer. Lastly, it said that no District Court had jurisdiction to enjoin multiple seizures in the face of this administrative finding by the FDA.

Mr. Justice Jackson, joined by Mr. Justice Frankfurter, strongly dis-

It had been my hope—up to Monday afternoon—also to report to you that the Supreme Court had decided the famous *Standard Oil of Indiana* case and had judicially confirmed the rule that under the Robinson-Patman Act the good faith meeting of competition is a complete defense to a charge of price discrimination. This famous case was argued early last January.

There were some people, however, who believed that the Supreme Court might not decide the case but would wait to see whether Congress passed the O'Mahoney bill. There were others who were convinced that the Congressional delay in considering the O'Mahoney bill flowed from the feeling of Congress that if the Supreme Court decided the *Standard Oil* case, legislation might become unnecessary. In short, on this important problem of vital importance to American business, there was some reason to believe that the Supreme Court was waiting for Congress and that Congress was trying to out-wait the Supreme Court. Later I shall report on the Congressional passage of the O'Mahoney bill which is now before the President for approval.

Last Monday was the final session of the Supreme Court for this term. Even though the O'Mahoney bill was not yet law, most lawyers expected that the Supreme Court would finally decide the *Standard Oil* case. There was much speculation as to whether the anticipated Court decision would affect the Presidential decision whether to approve the O'Mahoney bill. Both Congress and the Court seemed to have exhausted their waiting periods.

Excitement ran so high that a great many interested lawyers sat in the Supreme Court all day waiting for the decision. Late in the afternoon the Supreme Court announced that the *Standard Oil* case—and its ultimate decision on this question of the good faith meeting of competition—would be considered only after re-argument set for next fall. At the least, this demonstrates that the Supreme Court has the last word.

Legislation

Turning to Congressional activities, there is little need for me to emphasize to this Board the fact that 1950 is a Congressional election year. This undoubtedly has contributed to the reticent fashion in which Congress is dealing with appropriations and taxes.

There are few people in Washington who would not agree with the proposition that we are still headed for inexorable inflation. The deficit for this fiscal year will, as I have mentioned, certainly be in the neighborhood of 4 billion dollars. For the next year it may reach 6½ billions—and this in a time of unprecedented peacetime prosperity.

The one-package appropriation bill is now in the process of being tied up. Despite all efforts at streamlining the business of the government, this measure runs 431 printed pages.

On the other side, the House undoubtedly will enact some cuts in excise taxes. Whether the Senate—in which only a third of the membership is up for reelection—will follow suit is not at all clear. There is continued talk of increasing the basic corporation tax but again as to whether this will eventuate, few will hazard a guess.

Time does not permit me to review the Congressional absorption with foreign affairs or the inescapable impact which the incessant talk of possible war has upon our domestic activity. It suffices to say that authorization for a fairly substantial continuation (about 3 billion dollars) of the ECA program has been enacted, and that there is every likelihood that Congress will appropriate a very substantial sum for European rearmament. No one will, I am confident, consider my passing by these questions of international relations as indicating that their importance, or the absorption of the Administration or Congress with them, has in any measure lessened. What goes on elsewhere in the world is always importantly reflected in domestic affairs.

Most people believe that by the time Congress goes home—we hope by mid-summer—it will have enacted some amendments to the Social Security legislation, to increase coverage considerably, and possibly to include in part farm laborers working at least 60 days for one employer and earning \$50 or more in cash. Congressional awareness of inflation may be reflected in provisions for vastly increased old-age benefit payments. Along with these may come increased coverage and a higher taxable wage base for unemployment compensation. The Social Security recommendations alone may turn out to be the only important Presidential enactment by the present Congress.

Since the subject was first discussed in 1948 at Chicago, canners have had a continuing interest in the controversy concerning delivered pricing and particularly the absorption of freight to meet competition. Last January I had to report that the O'Mahoney bill, S. 1008, designed to clarify some of the existing confusion, was having rough sledding in the first session of the present Congress. I am happy to tell you that last Friday (June 2) it finally bumped its way into being enacted.

After four days of intensive debate, the Senate by a vote of 43-to-27 finally adopted the conference report. The O'Mahoney bill is now before President Truman, and in view of the heat it has engendered, the odds appear

to be even as to whether he will or will not approve it.

Eventually, if the bill is approved, we propose to make available in the INFORMATION LETTER a detailed analysis of this law as it affects the canning industry. When you recall that freight absorption affects the price of tin plate, the price of containers, and the opportunity of distantly-located canners to compete in markets of high population density, there can be little doubt that the measure is of importance to canners. I am satisfied that if the President approves the O'Mahoney bill, there will no longer be any question as to the right of a canner to meet competition by competitively absorbing freight to distant markets either directly or by lowering his f.o.b. factory price in particular sales. Indeed, in one respect the O'Mahoney bill goes further and specifically recognizes a seller's right to maintain a differential below that of a competitor. For example, a private brand seller may not only meet but may competitively undersell a nationally advertised brand.

In this same field of business regulation—the area of the antitrust laws—Congress has become increasingly active. Last Monday (June 5) the House passed the bill to increase the penalties for violating the antitrust laws from \$5,000 per count to \$50,000 per count. It is expected that this measure will become law.

Corporation Assets

You will also recall that in August of last year the House had passed H.R. 2734, the Celler bill, to prohibit the purchase by one company of the assets of a competing company where the effect might be to lessen competition. As a matter of fact, the Celler bill goes considerably further and prohibits the purchase by one corporation of the assets of another corporation where competition may be affected in any section of the country. This may affect not only the purchase of competing companies but also permit the Federal Trade Commission to question some types of acquisitions for integration purposes.

It is interesting to report that in the recent consideration of this measure people have come to see that it cuts two ways: It not only curbs the acquisition by one company of the business of another, but it may seriously affect the opportunity of a smaller enterprise to sell out its business as a going concern.

Pending before Congress is also the Denton bill, H. R. 7905, which would give a tremendous impetus to treble-damage suits under the antitrust laws by making a decree or conviction in an antitrust case conclusive evidence in a later treble-damage suit, and by

affording a six-year statute of limitations.

Lastly, in this same area, there is the President's recent message requesting legislative changes to assist small business. Mr. Truman has made five proposals designed to assist small business enterprises in obtaining capital. The first is to provide federal guarantees of bank loans on a five-year basis, up to \$25,000. This would provide, for small business loans by regular banks, the protection comparable to the insurance of deposits.

Second, he has proposed the federal chartering of what are to be called "national investment companies" to provide equity capital and long-term loans for efficiently-managed small businesses. The stock of these new investment companies would be owned by Federal Reserve banks, and they would be given special tax recognition.

His third proposal would be to have the Reconstruction Finance Corporation relax its collateral requirements on loans to small business. In this same connection, his fourth recommendation is to turn the RFC over to the Secretary of Commerce.

Lastly, the Secretary of Commerce would be asked to establish a clearing house to disseminate scientific, engineering, and managerial information for small business concerns.

Whether any of these measures will be enacted in this session of Congress is problematical. The political attractiveness of the program should be self-evident.

As to farm legislation, it is unlikely that there will be major revisions in the present Congress—unless it stays here for the rest of the year. The Commodity Credit Corporation will get approximately 2 billion dollars to continue support programs. There may be some restrictions on potato supports if the Lucas bill is enacted, but otherwise major changes are unlikely.

Farm bills and politics are not unrelated. Recently, the President made a non-political tour of the country. There are many who see in that trip—and in other Administration activities—a basic design to obtain, in the next Congress, the Midwest and Western farm vote. This is believed to be a forerunner to putting the Brannan Plan through in the next Congress. Once again, Republicans appear to be telling each other not to underrate the traveling Chautauqua of the President.

Administrative Hearings

I have not mentioned the various scheduled Congressional investigations since these relate to federal administrative activities to which I should like briefly to direct your attention.

The first, unfortunately, is a report of administrative inaction. You will recall that when the Portal-to-Portal legislation was enacted, it was provided an employer could rely upon any interpretation made by the Wage and Hour Administrator. Recently, by Reorganization Plan No. 6, effective May 23, the responsibilities of the Wage and Hour Administrator were directly invested in the Secretary of Labor. Canners will also recall that in the amendments to the Wage-Hour law last December—in which the minimum wage was increased to 75 cents an hour—the agricultural processing exemptions were not changed.

The last comprehensive administrative interpretation of these exemptions, however, was made in 1940. The Wage and Hour Division has always carefully reserved any approval of these interpretations so as to preclude their becoming binding under the law. For a long time we have endeavored to secure a definitive set of interpretations upon which canners might rely.

It had been our hope that these could be obtained so as to be useful during the 1950 canning season. But our latest reports indicate that this will not happen.

The activities of the Food and Drug Administration—in the pesticide and food standard hearings—has already been reported to you. I should add, however, that it is likely that Congress will authorize a special seven-man committee investigation of the use of chemicals in processed foods, including the general problem of pesticide residues. The Congressional interest in this area derives from the famous bread hearings and is fostered by the apprehensions of the dairy industry that chemical shortening agents may seriously curtail the market for certain farm products.

Necessarily, this new Congressional investigation may parallel the Food and Drug pesticide hearing. Inevitably, there may be many colorful accusations. Every food processing industry may have to bend its efforts to insure that a correct picture of its products and processes is presented. Yet, in view of the lack of a technical staff to serve the Congressional committee, there are many who doubt whether this proposed investigation can make any helpful contributions in this area.

Finally, it should be reported to you that we now have a revitalized Federal Trade Commission. As Commissioner Mason recently described it, it is "a Federal Trade Commission with a New Look." In the first place, by Reorganization Plan No. 8, all of the housekeeping responsibilities of the Commission have been entrusted to its Chairman, and President Truman has appointed former Senator Mead as Chairman.

Next, the Commission has recently streamlined all of its methods of procedure. It has provided that the decisions of its trial examiners shall become the decisions of the Commission unless these initial determinations are appealed. The Commission hopes to speed up its work. It has also completely reorganized its legal staff.

This story of Commission staff reorganization and revised procedure will undoubtedly be presented to the House Small Business Committee which has scheduled an investigation of the Federal Trade Commission beginning some time this month.

Robinson-Patman Act

On the substantive side, the Commission appears to be carefully evaluating the Robinson-Patman Act and its impact upon business. It is still struggling with and has deferred decision on a series of cases concerning the status of several buying organizations. It is likewise reconsidering the sections of the law relating to advertising and promotional allowances. What may emerge when these pending cases are ultimately decided will undoubtedly be of interest to the canning industry.

Finally, the Commission is proceeding with the Grocery Trade Practice Conference. You will recall that last January I mentioned this proposal for new trade practice rules for the entire grocery industry, covering 32 billion dollars of sales, 600,000 retailers, 6,000 wholesalers, and more than 50,000 grocery manufacturers—including necessarily the entire canning industry.

The initial session of the Trade Practice Conference was held early in February, and after preliminary discussions it was concluded to appoint a committee to draft proposed rules. In view of the canning industry's interest in this activity, I am happy to report that both Mr. Campbell and I were appointed to this committee.

To date, the drafting committee has held numerous meetings to consider a large number of proposals advanced by interested groups of manufacturers, wholesalers, and retailers. Interest has centered on a number of troublesome legal points.

The principal one is whether the Federal Trade Commission can, by trade practice rules for an industry, interpret the Robinson-Patman Act. There are many lawyers who feel that this neither can nor should be done. They have been reinforced in their position by the failure of most of the suggestions advanced to incorporate necessary exceptions for particular problems of specific parts of the grocery industry, and, perhaps of greater importance, the failure to include recognition of the basic right always to

meet competition. After a series of meetings, the Commission concluded last month that its own trade practice conference staff might best undertake the task of drafting the rules for submission to the drafting committee. It is expected that further meetings will soon be held.

Some of those who have participated in these sessions have come away with the feeling that perhaps the Federal Trade Commission has in this instance undertaken to impound, within a single area, too many different industries and activities. Conceivably, the Commission itself may

come to this view. It may either divide the entire grocery field according to commodities dealt in—such as cereals, canned foods, soaps, etc.—or it might determine to attempt to formulate rules according to the functional activities of those to be affected, such as manufacturing, distributing, and retailing. What has been evidenced thus far has been largely a cooperative spirit by all concerned and a general desire to have the laws governing the trade and grocery items clarified as far as possible. Certainly the canning industry is in agreement with this objective.

N.C.A.'s New Headquarters Building in Washington Provides Modern Facilities for Conduct of Association Activities

The new headquarters and laboratory building of the National Canners Association, 1133 20th Street, N. W., Washington 6, D. C., is a modern three-story structure of 36,000 square feet of gross space on a rectangular lot of 120 x 140 feet.

The building is L-shaped, with a frontage of 95 feet on the east side of 20th Street and a depth of 140 feet 10 inches along an alley north of and adjacent to the N.C.A. property. Along 20th Street, on the short leg of the L, the building is 50 feet deep, and on the long leg of the L it is 50 feet wide.

The area not occupied by the building is blacktopped and fenced and is used for parking for N.C.A. and employee's vehicles. The building is of reinforced concrete construction, with stone facing on 20th Street, and brick on the other exterior walls. It is air-conditioned, has fluorescent lighting, and has an elevator for both passengers and freight.

The interior is largely open office space, with only limited use of ceiling-height partitions.

Visitors find information at the telephone switchboard located adjacent to the lobby at the first floor main entrance.

Administrative Offices

In addition to the Secretary and his staff, the first floor contains offices for the Office of the Treasurer, the Information Division, Labeling Division, Fishery Products Division, Raw Products Bureau, and the Division of Statistics. A feature of the first floor is a conference room with a seating capacity of 95. Adjoining the Office of the Secretary are two small private workrooms for the use of canners or for conferences among a few persons.

The second floor is shared by the Claims Division, Home Economics Division, and the administrative offices of the Washington Research Laboratories. A large library room also is on that floor.

A feature of the Home Economics Division layout is a modern du-kitchen for the development of both family-size and institutional recipes and a combination dining and photography room for group testing of recipes and the preparation of food photographs. The dining room also may be used on occasion as a conference room or for lectures to various groups interested in dietetics and nutrition.

Press-Radio Campaign on Building Dedication

The dedication of the N.C.A.'s new headquarters building was the occasion for a press-radio campaign launched by the Association to call attention to the scientific soundness and progressive character of the canning industry.

Representatives of the trade press, wire and syndicate services, and daily newspapers attended the dedication luncheon at the Hotel Mayflower, and, at special press tables, were supplied kits of press material about the dedication events, the building itself, and the industry.

Similar material also was sent by mail to trade papers and newspapers that were unable to send representatives to Washington for the dedication.

The material was prepared and issued by the Information Division. The kits contained:

A general press release reporting the dedication of the new "research center designed to continue scientific studies aimed at maintaining and improving the purity and wholesomeness of canned foods," and quoting certain of the statements made by Dr. Charles Glen King.

Photographs of the new building.

Copies of Dr. King's address; photographs and biographies of Dr. King; photographs of the other speaker, Albert Kennedy Rowswell.

Except for two offices for laboratory division heads, the entire third floor is devoted to laboratories and their supplemental service areas. The division of space and design of facilities have been made in accordance with the several functions of the Research Laboratories—bacteriology, processing, chemistry, nutrition, sanitation, waste disposal, and microanalysis.

Laboratory Spaces

Units using like equipment are grouped; for example, the chemistry, nutrition and waste disposal-sanitation laboratories, comprising nearly half the direct laboratory area, are in a single continuous space marked off by barriers such as hoods or storage cabinets instead of partitions. Similarly, the bacteriological laboratory is divided into two sections, one for service and one for research, by a row of incubator cabinets accessible from both sides. A separate cutting room permits examinations of large groups of samples without interference with other laboratory work.

The basement space, aside from the heating, air conditioning and general service areas, is divided between the Laboratories (pilot plant and storage rooms) and the mail and duplicating service, including storage of stationery and supplies.

Photographic reproductions of the oil painting of Frank E. Gorrell, which hangs in the Main Conference Room of the new building.

A background data sheet, briefly describing the physical characteristics of the new building and how it is being used.

Radio Coverage

Extensive radio coverage of the dedication ceremonies was given. The first broadcast reference to the building and what it means in terms of public service was made on the Fred Waring program of June 3, sponsored by the Green Giant Company. This show, over the National Broadcasting Company network, included in the commercial script a statement that "the main job of these additional research facilities will be to see that the high quality of canned foods continues and that science keeps pushing the future to try and give you even better quality canned foods."

On June 7, the eve of the dedication, in the commercial for the Edward R. Murrow newscast, sponsored by Campbell Soup Company, another mention was made of the significance of the new building. Congratulations were offered to the Association "whose purpose is to put more nutrition and more flavor and more value into every can

In writing or telegraphing the
National Cannery Association's
headquarters, address—

1133 20th Street, N.W.
Washington 6, D. C.

Telephone—
Executive 7030

of food you buy * * * the men and women who will be working in that building will be helping you almost daily—helping you serve your family canned foods that are nourishing, appetizing and easy to prepare." The program was broadcast on the Columbia Broadcasting System coast-to-coast network over 153 stations.

Earl Godwin, NBC news commentator, devoted a full page of his script to comment on the new building on the night of the dedication over Station WRC, Washington, D. C.

On Thursday and Friday, June 8 and 9, 14 stations carrying programs sponsored by Stokely-Van Camp, Inc., carried references to the new building. In these scripts it was stated that "the science of canning food is marked by an important event as the National Cannery Association dedicates a new

million-dollar research building in Washington, D. C." The event was characterized as the second most important occurrence in canning progress since Appert discovered the art of canning, and the Association was described as "a research enterprise dedicated solely to the purpose of giving the American consumer an honest product manufactured on the basis of the soundest scientific principles."

Other members sponsoring radio programs were planning to arrange programs mentioning the building and as details from these are made known they will be reported in the INFORMATION LETTER.

Government Report Recognizes Role of New Building

The second quarterly industry report on *Canned Fruits and Vegetables*, issued by the U. S. Department of Commerce, gave prominent recognition to the importance of the new N.C.A. building. The front cover reproduced a picture of the building and the back cover was given over to a full-page statement on the "Service of the National Cannery Association to Industry and the Government."

The article reviewed the contribution of the canning industry and the Association in the two world wars, and mentioned numerous other ways in which N.C.A. has "furnished valuable service to the Federal Govern-

ment during the course of its existence."

Copies of the publication were delivered to the new building in time to be available to those attending the dedication ceremonies, and were on display at the building.

Many Floral Tributes Received at Dedication

Many friends of the Association, both firms and individuals, thoughtfully remembered to send floral pieces to help adorn the building for the inspection and visiting that took place throughout dedication day. N.C.A. thanks and acknowledges flowers from the following:

American Can Company
Association of Cannery State and Regional Secretaries
Miss May Bigelow (daughter of the late director of N.C.A. research)
Blackstone, Inc. (florists)
Restaurant 823, Washington
French Sardine Company
General Fireproofing Company
Henry J. Kaufman and Associates
Lincoln National Bank
Pennsylvania Cannery Association
Pohanka Automobile Service
Geo. C. Shaffer, Inc. (florists)
W & J Sloane
Waldron Flowers, Inc.

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